

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHARLES D. RIEL,

Petitioner,

v.

WARDEN, San Quentin State Prison,

Respondent.

No. 2:01-cv-0507 MCE DB

DEATH PENALTY CASE

ORDER

Petitioner moves pursuant to 28 U.S.C. § 1825(b)(1) for compensation for the following non-expert witnesses: Donna Schwan and Juanita Martin. (ECF No. 635.) Petitioner states that these individuals were subpoenaed and appeared for depositions on December 7 and December 8, 2023. Petitioner further states these depositions were part of a petition for writ of habeas corpus in which petitioner is proceeding in forma pauperis and these witnesses testified on behalf of petitioner.

Petitioner states Ms. Schwan is entitled to receive \$77.52 (\$40.00 for attendance and \$37.52 for her own travel expenses) and Ms. Martin is entitled to receive \$45.36 (\$40.00 for attendance and \$5.36 for her own travel expenses).

Accordingly, IT IS HEREBY ORDERED:

1. Petitioner's request for witness compensation (ECF No. 635) is granted.
2. The court certifies that the testimony of Donna Schwan and Juanita Martin is relevant

1 and material to the instant action in order to perpetuate witness testimony.

2 3. Pursuant to 18 U.S.C. § 3006A and 28 U.S.C. § 1825, the United States Marshal is
3 authorized to pay fees of witnesses who testify on behalf of clients represented by the Federal
4 Public Defender. See also Guide to Judiciary Policy, Volume VII, §§ 320.40.20; 320.40.10.

5 4. The United States Marshal is directed to pay:

6 Donna Schwan - \$77.52; and

7 Juanita Martin - \$45.36.

8 Dated: May 30, 2024

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12 UNITED STATES MAGISTRATE JUDGE
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